

REMARKS

Claims 1-20 are pending in the application. Claims 1-20 stand rejected. No amendments have been made.

Rejection of Claims under 35 U.S.C. §102

Claims 1-4, 7-10 and 13-18 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Dilip, et al., U.S. Patent No. 6,704,409. Two limitations of independent claim 1 are repeated below:

means for determining the media formats the one or more agents can access; and
means for assigning the one or more agents to handle the first and second requests based on the media formats of the first and second requests and the media formats the one or more agents can access.

Independent claims 7 and 15 contain substantially the same limitations.

With regard to determining the media formats the one or more agents can access, the Office Action cites column 5, lines 9-16 and column 11, lines 20-21. Applicants respectfully disagree that the Dilip reference teaches determining the media formats that agents can access. The cited portions of the reference indicate that agents may “utilize any type of device or system that allows interaction between the agent and the initiator of the transaction (e.g., a customer).” (Dilip, column 5, lines 9-12). Dilip indicates that an agent may use a telephone only, a computer only, or a computer system and a telephone, such that the “agent is capable of handling and responding to multiple types of transactions.” (Dilip, column 5, lines 18-20).

Rather than consider the media format that an agent can use, the system taught by Dilip processes transactions according to a transaction type of “real-time” vs. “non-real-time.” (See Dilip, column 2, lines 24-26.) Real-time transactions may be assigned a higher priority than non-real-time transactions. (See Dilip, column 2, lines 38-41.) The highest priority transaction is

removed from the transaction queue when an agent becomes available to process a new transaction. (See Dilip, column 2, lines 29-31 and 46-48.) A transaction type of “real-time” vs. “non-real-time” is a characteristic of the transaction, but is not determined by a media format of a communication channel used to communicate the transaction. Therefore, even though the agent may be capable of handling both real-time and non-real-time transactions, Dilip does not teach determining the media formats that the agents can access.

Because Dilip does not determine the media formats that agents can access, Dilip cannot use the media formats the agents can access to assign agents to handle requests, as required by the second limitation of claim 1 repeated above. The Office Action cites Dilip columns 5, lines 57-67 as teaching the assignment of agents, but the cited portion does not describe using the media format of an incoming request to assign an agent. The cited portion of Dilip discusses that the customer may communicate with an agent using Internet phone, e-mail, fax, telephone, or any combination thereof. Dilip describes grouping agents by area of expertise, company department, or type of support provided (e.g., sales or technical), but does not describe selecting an agent or group of agents based upon the media format that the agent can use and/or that the customer is using.

Using a priority assigned to a transaction based upon whether the transaction is real-time or non-real-time does not take into account a media format of the request. In particular, such a scheme does not consider media formats that an agent can access when assigning an agent to respond to the request. Because all limitations of independent claims 1, 7, and 15 are not taught by Dilip, claims 1, 7 and 15 are allowable, as are respective dependent claims 2-6, 8-14, and 16-20.

Rejection of Claims under 35 U.S.C. §103

Claims 5-6, 11, 12, 19 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dilip, et al., U.S. Patent No. 6,704,409, in view of Miloslavsky, U.S. Patent No. 5,915,011. Each of claims 5-6, 11, 12, 19 and 20 depends from one of independent claims 1, 7, and 15, which have been shown to be allowable over the Dilip reference standing alone. Accordingly, claims 5-6, 11, 12, 19 and 20 are allowable for at least the foregoing reasons.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5086.

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8/10/05

Date of Signature

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